

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
BARING INDUSTRIES, INC.,

Plaintiff,

-against-

JARED ROSEN, INDIVIDUALLY, and  
MICHAEL J. NOONAN, INDIVIDUALLY,

Defendants.

ANALISA TORRES, District Judge:

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24 Civ. 5606 (AT)

**ORDER**

The Court has reviewed the parties' letters dated June 12 and 19, 2025. ECF Nos. 51, 53. Plaintiff is advised that motions to strike "are generally disfavored and granted only if there is a strong reason to do so." *Vyas v. Taglich Bros., Inc.*, No. 23 Civ. 8104, 2025 WL 1265876, at \*1 (S.D.N.Y. Apr. 28, 2025) (citation omitted); *see also id.* at \*2 ("Abundant case law holds that a failure-to-state-a-claim defense is not vulnerable to a motion to strike" (cleaned up) (citation omitted)); *id.* (explaining that a "relaxed plausibility standard . . . applies when the factual allegations necessary to support [a] defense[] are likely not readily available to defendants" (citation omitted)). Nevertheless, the Court shall allow Plaintiff to move to strike Defendants' affirmative defenses if it still desires. Accordingly:

1. Plaintiff's request for leave to file a motion to strike Defendants' affirmative defenses is GRANTED;
2. By **July 11, 2025**, Plaintiff shall file its motion;
3. By **July 25, 2025**, Defendants shall file their response; and
4. By **August 1, 2025**, Plaintiff shall file its reply, if any.

SO ORDERED.

Dated: June 23, 2025  
New York, New York



ANALISA TORRES  
United States District Judge